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OFFICE OF PETITIONS

AMGEN INC.
1120 VETERANS BOULEVARD
SOUTH SAN FRANCISCO CA 94080

In re Patent of Grabstein et al. :
Patent No. 7,192,935 :
Issued: March 20, 2007 : ON PETITION
Application No. 09/724,841 :
Filed: November 28, 2000 :
Attorney Docket No. 2811-US-CNT2 :

This is a decision on the petition filed December 16, 2010, under 37 CFR 3.81(b) to correct the name of the assignee on the front page of the above-identified patent by way of a certificate of correction.

The petition is **DISMISSED**.

Petitioner requests issuance of a certificate of correction in the name of "Immunex Corporation, Thousand Oaks, CA (US)."

37 CFR 3.81(b), effective June 25, 2004, reads:

After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 **before issuance of the patent**, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17(i) of this chapter [emphasis added]. See also MPEP 1481.01.

However, the assignment on record, filed prior to payment of the issue fee, at the USPTO is to Immunex Corporation, Seattle, WA (US). It is inappropriate to issue a certificate of correction in the name of "Immunex Corporation, Thousand Oaks, CA (US)."

In view of the above, the Certificates of Correction Branch is instructed to issue a certificate of correction upon submission by petitioner of a request for a certificate of correction which sets forth Immunex Corporation, Seattle, WA (US), as the assignee. No certificate of correction will be issued which sets forth an assignee other than the assignee set forth in this request. A copy of this decision must accompany the request for a Certificate of Correction.

No further renewed request under 37 CFR 3.81(b) is necessary for consideration by the Office of Petitions for issuance of a certificate of correction in the name of the assignee set forth in this request, since this decision operates as an instruction to the Certificates of Correction Branch to issue the requested certificate of correction.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-3230. Any questions concerning issuance of a certificate of correction should be directed to the Certificates of Correction Branch at (571) 272-4200.


Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions